

109TH CONGRESS
1ST SESSION

S. 2048

To direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2005

Mr. OBAMA introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lead Free Toys Act
5 of 2005”.

6 **SEC. 2. BAN ON CHILDREN'S PRODUCTS CONTAINING LEAD.**

7 (a) BANNED HAZARDOUS SUBSTANCES.—Not later
8 than 180 days after the date of enactment of this Act,
9 the Consumer Product Safety Commission (referred to in
10 this Act as the “Commission”) shall prescribe regulations

1 classifying any children’s product containing lead to be a
 2 banned hazardous substance within the meaning of section
 3 2(q)(1) of the Hazardous Substances Act (15 U.S.C.
 4 1261(q)(1)).

5 (b) DEFINITION OF CHILDREN’S PRODUCT CON-
 6 TAINING LEAD.—As used in subsection (a), the term
 7 “children’s product containing lead” means any consumer
 8 product marketed for use by children under age 6, or
 9 whose substantial use by children under age 6 is foresee-
 10 able, and containing more than trace amounts of lead, as
 11 determined by the Commission and prescribed in the regu-
 12 lations required by subsection (a).

13 (c) CERTAIN ELECTRONIC DEVICES.—If, in pre-
 14 scribing the regulations required by subsection (a), the
 15 Commission determines that it is not feasible for certain
 16 electronic devices to comply with such regulations at the
 17 time the regulations shall take effect, the Commission
 18 shall, by regulation—

19 (1) issue standards to reduce the exposure of
 20 and accessibility to lead in such electronic devices;
 21 and

22 (2) establish a schedule by which such elec-
 23 tronic devices shall be in full compliance with the
 24 regulations prescribed under subsection (a).

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